

2) What is Proposed?

The 'Proposed Zoning Ordinance for Bath County' and the 'Comprehensive Plan for the County of Bath' call for dividing the county into five land use categories: conservation, agriculture, residential, commercial, and industrial. Development—other than recreation and timbering—is not considered practicable in the 320,000 mountain acres set aside for conservation. Agriculture, mostly in the valleys, would continue to be encouraged on some 22,000 acres. Intense residential development is seen for Bacova, Healing Springs, Hot Springs, Millboro, Mitcheltown, and Warm Springs. Further commercial expansion would also be pushed in these communities. About 2,200 acres in six areas have been mapped for future industrial land, in line with recommendations made in 1960 by the Division of Industrial Development. (The two largest industrial parks are proposed for the eastern part of the county.)

1) What is Zoning?

Zoning would be a master plan for the future development of our county. We decide now what our county should be in the future: a beautiful place in which to live, to work, and to enjoy what nature has so generously given this area, or a cheap, polluted and littered country version of Coney Island? Without planning, the prospects for preserving the beauty that is Bath County today are almost zero.

2nd Hearing Voted For Bath Zoning Law

WARM SPRINGS - A second public hearing will be held Friday, Sept. 28 from 8 to 10 p.m. on the proposed zoning ordinance for Bath County.

The county's board of supervisors voted 4-1 Wednesday morning to hold a second hearing and to advertise the proposed ordinance in its entirety.

At a public hearing Monday night, several speakers said the supervisors hadn't done an adequate job of informing county residents of the implications of zoning. They said many people are against the ordinance because they don't understand what it means and steps should be taken to inform them.

A number of changes proposed Monday night by the Bath County Chamber of Commerce will be incorporated in to the proposed ordinance.

In essence, the changes would reduce the minimum lot area from 60,000 square feet to 20,000 square feet in agricultural limited and from 20,000 square feet to 10,000 square feet in residential limited, provided there is public water and sewage disposal service. It would also reduce setback requirements from 50 feet from the highway to 35 feet.

The dissenting vote Wednesday came from Supervisor Stuart L. Hall, who has consistently opposed zoning of any kind for Bath County.

Hall was sharply critical of the Chamber's recent Monday night's hearing, particularly in handing out copies of a sheet attempting to explain the changes it felt should be made. The Chamber "had no right to interpret" the zoning law, Hall said, stating that the Chamber's recommendations would be considered in revising the ordinance but not those of "the other 4,700 people in Bath County."

Chairman Ray M. Clark said Hall was not true. The second public hearing is being held to hear what the public has to say on the zoning, he said.

Chairman Clark said he wants

to see the zoning issue resolved as soon as possible. Some zoning supporters voiced concern privately that the vote might be delayed until after the Nov. 6 general election, when the Valley Springs District seat now held by Clarence F. McMullen on a court appointment is up for grabs. If an anti-zoning candidate were elected, the present 3-2 majority on the board in favor of zoning would be reversed, they contended.

The feeling that the public has not been adequately informed about zoning was summed up by Dr. Ira T. Hornbarger of Hot Springs, who favors zoning, when he said: "Where we've failed most of all is that the public has not been informed. When you do that, zoning will pass in Bath County."

More than 200 persons, packed into the circuit courtroom at the courthouse and overflowing into the hall outside, attended the public hearing on the ordinance, which has been a subject of controversy since it was presented to the supervisors by the county planning commission in January 1968.

The supervisors, who are divided on the question of zoning, heard 27 speakers argue the pros and cons of zoning, which proponents say is needed if Bath County is to develop properly and which opponents contend will rob a landowner of his rights.

A number of speakers, mostly zoning opponents, asked that a

referendum be held on the issue. But Commonwealth's Atty. Erwin S. Solomon, who moderated the hearing, said that is no provision in the Code of Virginia for a zoning referendum and even if it were held, it would have to be financed with county funds and would be advisory only and not binding.

M. L. Dalton, president of the Bath County Chamber of Commerce, said Bath is the only county in the Central Shenandoah Planning District Commission "not foresighted enough" to enact zoning. He said there are bills in Congress in the General Assembly that would make zoning mandatory and "if we don't do it ourselves, it's going to be done for us."

Dalton said there would be no chance of getting supplemental federal funds for access roads into the Gathright Dam area unless zoning is enacted. If county funds must be used for these roads, other parts of the county will suffer, he stated.

"There's nothing in this ordinance that will hurt anybody," Dalton said.

Billy Thorne of Ashwood, who is reportedly considering seeking election to the Valley Springs District seat, disagreed. "Zoning is one of the worst things that can happen to free people," he said. "It is no good even for a dog to live under. It rules your life and ties your hands."

Edward T. Walters of Nimrod

(Continued on Page 7)

Highland Man Missing in Bath County

WARM SPRINGS - A search continued Wednesday for a 65-year old Highland County man who was reported missing Tuesday while hunting for ginseng on Cobbler Hill at Muddy Run about four miles north of here.

At press time early Wednesday afternoon, no trace had been found of Wallace Cutshall of Vanderspool. Fifteen persons were searching the Muddy Run area for the man Wednesday morning, including members of

the Hot Springs and Highland County rescue squads.

A spokesman for the Bath County Sheriff's Department said Cutshall was hunting for ginseng with Jack Hamilton of Mustoe on Tuesday. He said the two men separated about 11 a.m. and were supposed to meet at 3 p.m. When Cutshall didn't show up, Hamilton notified the Bath Sheriff's Department and a search party led by Sheriff Frank W. Fritt Jr. began combing the Muddy Run area at 7 p.m., calling off the search at 10:30 p.m. because of darkness. The search resumed at 8 p.m. Wednesday.

The sheriff's department spokesman said members of

Water Rate Hike Sought

Water for all rural towns over 5,000 people, as from 10 years ago, will be more expensive.

Water to guarantee clean water in the future, Smith said.

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A number of changes proposed Monday night by the Bath County Chamber of Commerce will be incorporated in to the proposed ordinance.

In essence, the changes would reduce the minimum lot area from 40,000 square feet to 20,000 square feet in agricultural limited and from 20,000 square feet to 10,000 square feet in residential limited, provided there is public water and sewage disposal service. It would also reduce setback requirements from 50 feet from the highway to 35 feet.

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Hearing Voted on Bath Zoning Law

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(Continued on Page 7)

SECOND HEARING

(Continued From Page 1)

Hall, secretary of the Cowpasture River Preservation Association, said zoning is needed because the "boom town" atmosphere expected to prevail in Bath during the influx of workers on Virginia Electric and Power Co.'s proposed Back Creek pumped storage project should destroy the county's scenic beauty.

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MIGHTY MOUNTAINS: MIGHTY MAN

Bald Knob offers a spectacular panoramic view of the lofty Appalachians and the trip to the site on the old logging railroad at Cass, West Virginia is an unforgettable exciting experience.

The mountain region was covered with a vast forest which brought logging and lumbering as the basic economy. Here, during a sixty-year span, more than two billion board feet of lumber and pulpwood was harvested.

Gone are the "Bohunk" camps, the wood hicks in their "richies" and "corks" (loggers in their checked woolen shirts and spiked boots), and the towns which once housed the loggers and their families. The Cass Lumber Railroad remains, however, as a living museum of railroad logging.

In reaching the second highest point in the Mountain State and its hundred square miles of native wilderness, a steam-powered Shay engine (or perhaps two!) struggle at grades up to 10 degrees and uses a rare switch-back track system. Along the way the forgotten towns of Whittaker and Spruce can be noted -- both were once served by the railroad. Spruce at its peak had a population of some thousand people and was known as the highest town in

Warren E. Blackhurst, son of a Methodist minister, eventually earned his way through a college and taught English for thirty-two years in the local high school. In order to pay his way through school he did Taxidermy work, an avocation he continued for forty-eight years.

Today, many of his specimens can be seen at the Cass Wild Life Museum, where they are billed as the largest collection of Wild Life of West Virginia. Featured are the black bear, deer, bob or wild cats, the fox, wolf, raccoon, beaver, woodchuck and other animals, as well as bird life ranging from the barn owl to the Golden Eagle.

It is interesting that the author wrote of the common man and the mighty mountains, yet he was certainly not the common variety of man, instead his contributions are as mighty as he viewed his mountains.

Elmer L. Smith
P. O. Box 182
Bridgewater, Virginia 22812

The first zoo on record was founded in 1100 B.C. by the Chinese emperor Wu Wang. It was called "Intelligence Park."

MAKE DINING OUT A FAMILY

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Every Sunday—Noon to 2
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EVERY THURSDA
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WARM SPRINGS, VIRGINIA

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His writing is almost exclusively related to his experiences and observations of the environment in which he lived, and about logging and lumbering in particular. *Riders of the Flood* (1954) pertains to river logging when timber was floated downstream to mills. *Sawdust in Your Eyes* (1963) is about milling operations. The author had work experience at every job in the local lumber mill of the West Virginia Pulp and Paper Company! *Of Men and a Mighty Mountain* (1965) recounts the logging operations in Cheat Mountain, then known as Back Allegheny Mountain. The final work, *Mixed Harvest*, (1970) was published shortly before the author's death.

Together these writings offer an insight into the character and life-style of the people -- their rugged individualism, fatalism, simplicity and hard-work.

Bath Changes Date For Zoning Hearing

WARM SPRINGS - The date for the second public hearing on the proposed zoning ordinance for Bath County has been changed from Friday, Sept. 28, to Wednesday, Oct. 3, from 8 to 10 p.m. at the courthouse.

The change was made after the county's board of supervisors learned that the original date conflicted with a home football game at Bath County High School.

The second hearing is being held because several speakers at the first hearing Sept. 10 contended not enough had been done to inform county residents as to the implications of zoning. Many people oppose zoning because they do not know what it means and steps should be taken to inform them, they said.

The supervisors also voted to advertise the entire 41-page proposal ordinance.

No action has been taken on the proposed ordinance since it was presented to the supervisors by the county planning commission in January 1968. Following the Sept. 10 hearing, the ordinance was amended to liberalize minimum lot and setback requirements and to limit

The supervisors also voted to hold a public hearing Nov. 13

on a proposed ordinance which would bring Bath into conformity with the Virginia uniform statewide building code.

The ordinance would establish a county building inspection department. Ralph "Jack" Riner, county surveyor, has been appointed county building inspector.

It would also establish the following fees: New structure or new additions - up to \$30,000, \$75; \$30,000 to \$50,000, \$100, all over \$50,000, \$5 per \$1,000; Alterations requiring less than full inspection - minimum inspection fee, \$20; two inspections, \$40, and three inspections, \$60; Trailer inspection - \$20.

In a related matter, the board voted to ask the Virginia Association of Counties to request legislation at the next General Assembly session providing for state compensation to localities toward administration of the statewide building code.

Chairman Roy M. Cleek noted that no bids had been received on painting the exterior of the courthouse. The board decided to advertise for bids for repairing and painting the exterior and interior of the courthouse, with

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DATE CHANGED IN BATH (Continued from Page 1)

specific direction that no painting on the exterior be done except during suitable painting weather.

In other matters, the supervisors:

- Heard from Mrs. William Peery, who requested that Rt. 647 through Peery's Hollow be improved so the school bus can travel it. The board presented her request to highway officials, who agreed to study it.

- Instructed Commonwealth's Atty. Erwin S. Solomon to take necessary steps to establish title to extra and unknown property totaling as much as 10,000 acres found by the assessors in the course of their assessment of the county.

- Accepted Mrs. Lucy M. Robertson's resignation from the board of the Mental Health Clinic.

- Adopted a resolution expressing the board's opposition to the

U. S. Forest Service's clear-cutting policy in Bath, particularly in the Williamsville District and the Sugar Tree project.

- Voted 3-1, with Chairman Cleek voting no and Supervisor Clarence F. McMullen abstaining, that Sheriff Frank M. Pritt Jr. be authorized to hire a third deputy sheriff.

- Authorized the employment of a full-time caretaker at the Millboro dumping area at a monthly salary of \$250, after learning from Supervisor Charles A. Lowman Jr. that a part-time worker at the site was not adequate to curb abuses.

- Approved for garden damage claims of \$75 to Lester W. Bright \$60 to Russell C. Rhea, \$30 to William F. Brown, \$45 to Mrs. Helen Lyle and \$100 to Ronnie Forbes.

2nd Bath Zoning Hearing Oct. 3

WARM SPRINGS - A second public hearing on the proposed zoning ordinance for Bath County will be held Wednesday, Oct. 3, from 8 to 10 p.m. at the courthouse.

An earlier hearing was held Sept. 10. At that hearing, several speakers contended the county's board of supervisors had not made enough copies of the proposed ordinance available to county residents and that many residents were opposed to zoning because they hadn't read the ordinance and did not understand its implications.

Supervisors, in voting for a second hearing, authorized an advertisement of the entire ordinance. The proposed ordinance appears on Pages 18 and 24 of this week's *Recorder*.

In addition, the land use map which shows how the county would be zoned is on display at the Circuit Clerk's office at the courthouse.

The proposed zoning ordinance has been a subject of controversy since it was presented to the supervisors by the county planning commission in January 1968.

The ordinance's supporters say zoning is needed if Bath County's scenic beauty is to be preserved and unsightly, undesirable development is to be kept out of the county. They cite the Gathright Dam and Virginia Electric and Power Co.'s proposed pumped storage project in Back Creek and the resulting influx of temporary construction workers and tourists as additional reasons why zoning is needed.

Opponents say zoning will rob a property owner of his rights. Some also contend that the proposed ordinance does not adequately provide for residents of modest means.

Briefly, the proposed ordinance would divide Bath County into the following districts: Agriculture limited, agriculture general, residential limited, residential general, business and industrial. More than 90 per cent of the county's area would be contained in the agricultural districts.

Also, the ordinance would es-

tablish a Board of Zoning Appeals to handle grievances resulting from zoning decisions.

D. O. Bird Of Mill Gap Dead at 107

MILL GAP - David Osburne Bird, 107, a retired farmer and businessman of Mill Gap, died Sunday evening, Sept. 23, at Oak Hill Nursing Home, Staunton.

He was born April 30, 1866 at Valley Center, a son of George H. and Matilda Wade Bird. He was the oldest person living in the area.

Mr. Bird attended Augusta Military Academy and was a founder of Highland Mutual Insurance Co., which he served as vice president for 50 years. He later served as assistant trial justice for Highland County, was clerk of the Highland County School Board and was a member of Green Hill United Methodist Church.

His wife, Mrs. Mary Lillie Shumate Bird, died in 1940.

Surviving are a daughter, Mrs. T. J. Diamond of Churchville; four sons, Harry Bird of Mill Gap, Arthur and Forrest Bird, both of Richmond, and Ernest

(Continued on page 5)

The Old Timer



A class reunion is a time
for old school mates to get
together to find out who is

until 1900. The elder O'Farrell

Court Upholds Gathright Decision

RICHMOND - A federal appellate court has upheld a lower court order permitting the Army's Corps of Engineers to continue with its construction of the \$47-million Gathright Dam on the Jackson River in Bath and Alleghany counties.

In an opinion released here Wednesday of last week, the U.S. 4th Circuit Court of Appeals rejected a bid from five conservationist groups to block further work on the 257-foot-high earth and rock fill dam being built across Kincaid Gorge.

At issue before the 4th Circuit Court was the question of whether the 1972 amendments to the federal water pollution control legislation applied to the Gathright Dam, which was authorized by Congress in 1946 and started in 1968.

The conservationists contended that the amendments that provide for tighter control over the

water impounded in the dam applied to Gathright, but the 4th Circuit Court differed. The court said in its opinion that the amendments do not apply because the dam is long past the survey and planning stages.

U. S. District Court Judge Ted Dalton of Roanoke upheld in April the engineers' right to continue with the construction of the dam over the objections of the conservationist groups.

Dalton held that the engineers were not in violation of the federal environmental laws in constructing the dam as charged by the conservationists. When Dalton made his ruling, work on the dam was about 30 per cent complete.

Lawyers for the conservationists said they plan to appeal the 4th Circuit Court's ruling to the U. S. Supreme Court. However, William T. Wilson of Covington, attorney for the Covington-Alleghany County Chamber of Commerce and the James River Association in the case, said he did not anticipate the high court would hear an appeal of the decision upheld by two federal courts.

In 1972, a lawyer and his wife asked they be allowed depletion allowance on their bodies and skills as oil well owners are on their wells. It was not granted.

JUST RECEIVED . . . A WIDE ASSORTMENT OF BOWLS AND PITCHERS FROM ENGLAND.

Beautiful Mahogany Dining Room Table,
6 Chairs & Buffet — \$175.00

WIDE SELECTION OF CLOCKS . . . INCLUDING
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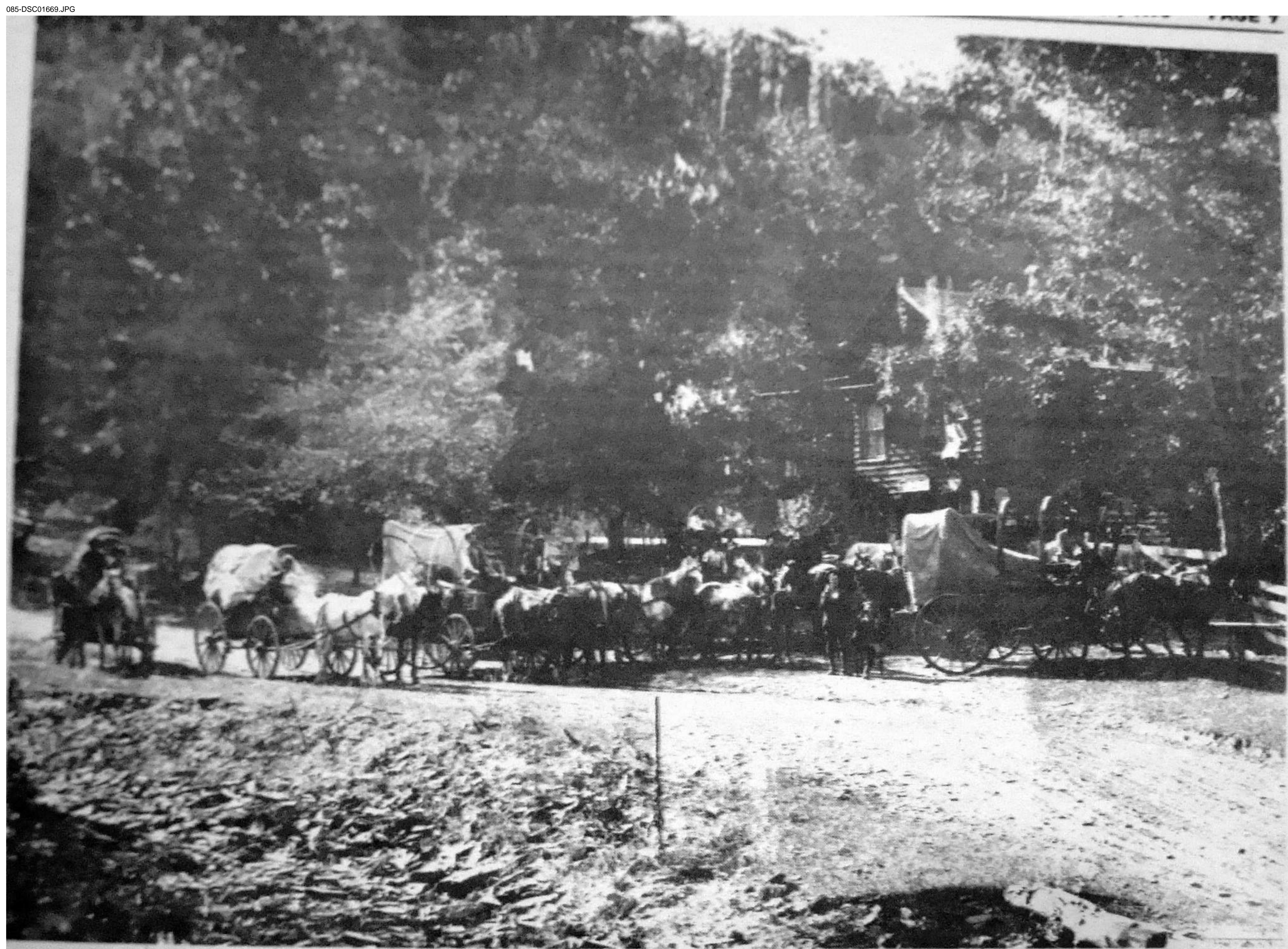
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Monterey Methodist Women Plan Service

MONTEREY - The women of Monterey United Methodist

1973 Special Cattle Sales

FEEDER CALE



COVERED WAGONS line up outside a bar at the foot of Allegheny Mountain west of Mountain Grove in this turn-of-the century photo, which was provided by M. G. O'Farrell of Mountain Grove, whose uncle, Mike O'Farrell, and Charlie Lamb operated the tavern from 1898 until 1900. The elder O'Farrell

then operated the bar by himself from 1900 until 1902. The two-story frame building burned about 1912. Pictured looking out of the second-story window is the bartender, "Howchie" Simms.